



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Violet Varona-Lukens, Executive Officer
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

County Counsel

At its meeting held April 29, 2003, the Board took the following action:

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Supervisor Molina made the following statement:

"The Board of Supervisors has been concerned about the cost of civil litigation and has instituted measures to reduce this cost including the hiring of a County Risk Manager as well as a Litigation Cost Manager within the Office of County Counsel. While litigation may be unavoidable, the County should implement every possible measure to reduce costly litigation and settlements.

"Frequently, when judgments and settlements are submitted to the Board for approval, it is unclear whether the settlement could have been reached for less overall expense to the taxpayer when all expenses are considered. Nor is it apparent that cases are evaluated for the lessons they may teach, so that future litigation expenses can be minimized. In order to facilitate the work of the Risk Manager, the Litigation Cost Manager, and the Board, a litigation evaluation and assessment tool should be developed for all judgments and settlements that are submitted to the Board for approval. This litigation evaluation should compare the original litigation plan and the exposure assessment with the final outcome and explain the divergence, if any.

"It should also address adequacy of settlement offers, settlement conferences, the timing of these, and the legal costs of representation. Finally, the Litigation Evaluation shall indicate what lessons have been learned and how those lessons will be utilized to reduce total County cost in future cases."

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Therefore, on motion of Supervisor Molina, seconded by Supervisor Knabe, unanimously carried, the County Counsel was instructed, with the assistance of the County Risk Manager, to develop a Litigation Evaluation and Assessment Tool to be included in all judgments reported to the Board, and all settlements submitted for Board approval, which compares the original litigation plan and assessment of legal exposure with the final outcome and explains the divergence that may have occurred, including the lessons learned from the matter and how they can be utilized to reduce costs in future cases, and to report back to the Board within 30 days.

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Copies distributed:

Each Supervisor

Chief Administrative Officer